

1882-026 Chancery Causes: Adm. of Robert P. Hamblin vs. John A. Beaty
Lee Co.

Hamblin, Pridemore

CA-Debt
T-Property

-Deed

To the Honorable John A. Kelly Judge of
the Circuit Court of Lee County Va.

Your orator Charles L. Hamblin sheriff
administrator ^{with the will annexed} of Robert P. Hamblin deceased
humbly complaining sheweth unto your
Honor, that on the 30th day of April 1861,

John A. Beatty executed his certain writing
obligatory sealed with his seal and signed
with his proper signature the date whereof
is the day and year aforesaid, by which
he bound himself to pay one day after the
date thereof, to your orators intestate by the
name of R. P. Hamblin fifty dollars which
said bond marked "A" is herewith filed
and prayed to be taken and considered as
a part hereof.

Your orator further represents that the said
John A. Beatty on the 11th day of May 1858, executed
his certain other bond, to Wm. L. Stubblefield
whereby he bound himself to pay the said
Stubblefield by the first day of November next
after the date thereof the said sum of twelve
dollars & 33^{cts}. This bond was afterwards sold
by the said Stubblefield to one Richard M.
Hamblen who on the 13th day of June 1874 by a
writing enclosed therewith, assigned and trans-
ferred the same for value to your orator - This
last mentioned bond marked "B" is also
filed herewith, and prayed to be considered
with this bill as a part hereof.

The said John A. Beatty on the 1st day of November 1857, executed his certain promissory note, due and payable one day after date, to the said Wm. L. Stablefield for the sum of fifteen dollars and 33^{cs}: which came into the hands of the said R. M. Hamblin and was by him on the 13th day of June 1874, for value assigned and transferred to your orator by a writing thereon enclosed. This said promissory note marked "le" will be found herewith as a part hereof. Your orator alleges that neither of two said bonds or the promissory note or any part of either has ever been paid to your orator, the said R. P. Hamblin deceased or his personal representatives - To the said Wm. L. Stablefield or his assignee R. M. Hamblin - But that the same is wholly unpaid and now due your orator as actor or assignee.

Your orator would further allege that the said John A. Beatty is a non-resident of this Commonwealth; but that he was an intestate in a small tract or parcel of land situate in this County some 5 miles south west of the Court House; a part of the old Robert Beatty tract of land; and which descended to him from his sister Sarah Beatty lately of this County now deceased - She being a single woman and dying childless and intestate the same

descended to her brothers and sisters the
said John A. Beatty being one

The object of this bill therefore is to obtain a
decree in favor of your orator for the amount
of his said claims; to obtain an attachment
against said lands, and a decree to sell
the same, unencumbered interests of the said
John A. Beatty in the real estate belonging
to the said Sarah Beatty deceased.

His prayer therefore is that the said
John A. Beatty be made a party de-
fendant to this bill and answer its
allegations on oath, and on a hearing a
decree be rendered in favor of your
orator for the amounts of his claims; that
a foreign attachment be granted against
said lands - that the same or so much
thereof be sold as may be necessary to
pay the same and the costs of suit. And for
all other further and general relief they
pray issue &c.

Lagan & Morehouse

To The Honorable John A. Kelly Judge of the Circuit Court
of Lee County.

The answer of John A. Beatty Citizene &c. of the State of
Texas. to the bill of complaint of Charles L. Hambleen Sheriff and
Admr. of the Estate of Robert P. Hambleen dec'd exhibited against
him in this honorable Court. This respondent saving and reserv-
ing to himself the right to except to said Complainants bill for all
errors of fact or law contained in it. for answer to so much thereof
as he is advised it is material or necessary for him to answer
answering says. that it is true as alleged in said Complainants
bill that he did on the day of 1861 execute his writing
obligating to Complainants decedent by which he bound himself
to pay to him \$58⁰⁰ ~~as alleged~~ in said Complainants bill

Respondent says said that said writing was executed when he
was very young, in fact the obligation or debt for which said writ-
ing was executed ~~by~~ was incurred while defendant was an
infant under the age of 21 years. Respondent further says that
he had entirely forgotten that this instrument was in existence
or thought it had been paid, and now that ~~he~~ this instrument
is still in the hands of the obligee's representatives he supposes
the same has never been paid but is still due and owing

And now have answered the plaintiffs allegations in said
bill as far and fully as he is advised it is material for him
at this time to answer, but saving and reserving to himself
the right hereafter to answer the further allegations in said
bill prays to be hence dismissed &c.

Morison & Duncan
for the plaintiffs,

John A. Beaty
Ode by Answer
Charles L. Hambleton
Sept 4, 1891

C. L. Hamblin admsr. ... Plff
against } In Chy.
John A. Beatty ... sept
This cause came on again this day to
be heard upon the papers formerly
read - And was argued, by Counsel, and
the ~~C. L. Hamblin~~ plff. C. L. Hamblin
filing herewith a receipt in full
satisfaction of the debt interest and
costs. And the defendant filing his
Oath from the plff for the lands
purchased by him from Com. Prielesmore
being thus the legal holder, - no further
action being necessary the cause is stricken
from the docket.

C. L. Hamblin's order

25 Dec 81

Final

John A. Beatty

March 7, 1882

Entered Page 247

J. A. Hyatt
Clerk

Enter this -

April 3, 1882
J. A. K.

W. L. Hamblin

against

John A. Beatty

} In ch.

On motion of the plff the order
of continuance ^{set aside} ~~of this cause~~ ^{of this cause} came on again
this day to be heard upon the papers form-
erly read and the report of special com-
missioner S. L. Pridemore filed October
20th 1875; and was argued by counsel:

~~On consideration whereof~~ And it ap-
pearing to the Court that said report has been
filed more than 10 days before the com mence-
ment of this term, and no exceptions being filed
thereto the same and the sale therein reported are con-
firmed. On consideration whereof it is ad-
judged ordered and decreed that the purchaser takes
and holds eleven acres of the undivided interest of
John A. Beatty, on the western end of said
lot; and the said Commissioner, will deliver
the deed of the purchaser to the plff, who ~~when~~
being well to receive the same, in satisfaction
of his said debt is entitled thereto. And said com-
missioner S. L. Pridemore will make and execute
to the purchaser a deed of conveyance for eleven
acres of said undivided lot to be laid off on
the west end thereof, with covenants of special
warranty, and report his action to this Court at
some future term and the cause is continued.

Le. L. Hamblin adms

vs } Decree

John A. Beatty

March T. 1876

Entered Order Book
page 508,

James W. Orr, clerk.

Enter this decree

Apr. 4 - 1876

J. A. K.

Charles L. Hamblin admt &c. ... plff -

against

John A. Beatty defts

} In chg.

This cause came on this day to be heard upon the bill of the plff and exhibits filed with his bill and the answer of John A. Beatty which is accepted without being sworn to and and by consent the following decree is rendered ^{the cause is to be played on the same docket and} "That the plff recover from the defendant the sum of fifty dollars three dollars with ~~with~~ interest from the first day of May 1861. And no ~~answer~~ is to action on the other notes filed as exhibits "B" & "C" is to be taken at this time of the court. And unless the defendant or some one for him pay the aforesaid sum and the costs of this suit which agreed to be paid by the defendant. Then A. L. Dickmore is hereby appointed, a special commissioner whose duty it shall be after advertising the said lands for 30 days, on the front door of the Court House of this county proceed to sell on a credit of one two and three years except so much as is necessary to pay costs and commission which will be required to be paid down. And ~~for all other purposes~~ the Cause is continued

Charles L. Hamblin ^{Adm'r & Co.}
vs. { Deane
John A. Beatty

Enter
Jas A. K.

Aug 28/74

Virginia Prob Court to wit:

This day Charles L. Hamblin personally appeared before me and made oath that John A. Beatty a non resident of the commonwealth of Virginia is justly indebted to him as sheriff administrator of the estate of Robert P. Hamblin in the sum of \$53.00 due first day of May 1861. That he is further indebted to him as such admin. by the assignment to him on the 13th June 1874 of two other notes, one under seal executed to Wm L. Stablefield, due by the first day of November 1858, for \$12.33. The other not under seal due one day after date and dated Nov. 1st 1857. for \$13.33, both of which was assigned him by R. M. Hamblin the holder, thereof. and that he believes he is justly entitled to receive the same.

Given under my hand this 22nd day of June 1874.

James W Orr. Clerk.

C. L. Hamblin agent

vs. J. Affidavit

John A. Beatty

Filed

per W. Orr. clerk.

Virginia Lee County to wit-

This day A. L. Pickens personally appeared before me and made oath that he is informed and believes that John S. Beatty is a non resident of this Commonwealth.

Given under my hand this
24th day of June 1874

James W Orr clk.

C. L. Hamblin admr

vs } Affidavit

John A. Beatty.

~~~~~

Filed

Jas W Orr. clerk.



To the Honorable John A. Kelly Judge of the circuit Court of Lee County

The undersigned commissioner, in the case of W. L. Hamblin adverse John A. Beatty begs leave to report, that in pursuance to a former decree of this Honorable Court he advertised in due time and on October the 18<sup>th</sup> that being the first day of County Court of said County, he offered for sale to the highest bidder said lands by the acre to commence in the west end of the lot which descended to said John A. Beatty from his sister Sarah Beatty, deceased, and Napoleon B. Havelly became the purchaser at the price of \$12.00, per acre. The debt and its interest amounted on the day of sale to \$99. The defendant executed his bond to your Commission for that sum one third payable in one two and three years with interest on the same from the said 18<sup>th</sup> day of October. with

his security therein, The said Havelly then settled and paid down the costs of suit and sale <sup>amounting to \$32, including estimated costs</sup> and the purchaser is willing to take these bonds in discharge of his debt. The purchaser will therefore be entitled to 11 acres and when a deed is made to him for the same then the cause may be stricken from the docket.

The sale was a very good one, the land sold higher than could have been expected. Your Commissioner therefore knows no reason why the sale should not be confirmed.

All of which is respectfully submitted.

A. L. Pickensmore Commr.



C. L. Dickinson

vs } Report No. 1.  
by C. W. Dickinson

John A. Beaty:

Filed Oct 20th 1875.

James W. Orr, clerk.



One day after date I bind myself heirs  
&c to pay R. P. Hamblers fifty three dollars  
for value received witness my hand & seal  
the 30<sup>th</sup> April 1861.

Abund. B. B. Seal



John A. Beatz

Le. & note

R. P. Hamblen

"A"





\$12.33

By the first of November after date, I bind myself, my heirs, &c., to pay

Wm F Hubbard

Twelve

dollars and

33

cents,

for value received. Witness my hand and seal, this

11

day of

185

Wm F Hubbard

SEAL

1233

1233

61 65  
123 5

788

1421



For value received I assign the  
within note to C. L. Hamblen  
admin of the Estate of R. P. Hamblen

June 15<sup>th</sup> 1874

R. P. Hamblen

John A. Beatty

Nov 12, 33

B.

One day after date I bind my self  
 my heir to pay Wm G Stubblefield  
 Thirteen dollars <sup>33</sup>/<sub>100</sub> for value received of him  
 This Nov 1<sup>th</sup> 1871

Test

G. R. Stubblefield

John A. Beatty (Seal)

|              |               |
|--------------|---------------|
| 13.33        | 13.33         |
| <u>14.33</u> | <u>146.63</u> |
| 61.65        | 1383          |
| <u>1285</u>  | 14.77         |
| 12.94        | <u>12.94</u>  |
|              | 27.73         |
|              | <u>80.00</u>  |
|              | 52.27         |

|              |
|--------------|
| 13.33        |
| <u>24</u>    |
| 3.33         |
| <u>26.66</u> |
| 28.5         |
| <u>13.33</u> |
| 16.16        |
| <u>41.21</u> |

\$30.37 amt both notes



John A. Macy  
to No. \$13,73

11/10

For value received I assign the  
within note to C L Hamblen admo  
of the estate of Robt. P. Hamblen June  
13<sup>th</sup> 1874

R. W. Hamblen



For the within note pays  
cash \$9.00



State of Texas }  
Collin County } 3

Know all men by these presents that we John. A. Beatty and Mary Jane Beatty husband and wife of the County of Collin and State of Texas in consideration of the natural love and affection we bear our beloved Brother in Law N. B. Heavly and our beloved Sister Mary J. Heavly of the County of Lee and State of Virginia have given, alienated and conveyed and do hereby give alienate and convey unto the said N. B. Heavly and Mary J. Heavly their heirs and assigns forever the following described Real Estate situated ~~on~~ Powell's River in Powell's Valley in the County of Lee and State of Virginia being the undivided one seventh part of a One hundred and one tract of land set apart to Sarah Beatty in the partition of the Estate of Robert Beatty deceased - The Metes and Bounds of which are particularly set forth in the Report of Commissioners of partition Recorded in Book - Clerk's office of Lee County -

To have and To hold unto the said N. B. Heavly and Mary J. Heavly their heirs and assigns Together with all and singular the appurtenances thereunto belonging or in any wise appertaining against the claim or claims of all and every person whomsoever - Given under our hands this 6<sup>th</sup> day of August 1874 -

John A. Beatty   
Mary J. Beatty 



State of Texas } Personally appeared before me A.  
Collin County } S. Robertson a Notary Public in and  
for the County of Collin John. A. Beatty and  
Mary J. Beatty husband and wife and ~~acknowledge~~  
to me well known and acknowledged that they  
signed the foregoing deed for the consideration  
and purposes therein set forth.

And Mary Jane  
Beatty wife of the said John. A. Beatty having  
been by me examined privately and apart from her  
said husband, and having the writing aforesaid  
fully explained to her. She the said Mary Jane  
Beatty acknowledged the said Writing to be her  
act, and declared that she had willingly execu-  
ted the same and does not wish to retract it.

Given under my official seal and  
signature at my office in Weston  
this 6<sup>th</sup> day of August 1874.

A. S. Robertson Notary Public  
Collin County Texas.

John. A. Beatty  
Mary J. Beatty  
S. B. Hearley  
M. J. Hearley

Sept 4th 1874

Virginia, Lee County Court Clerk's office the 4<sup>th</sup> day of September 1874.

The foregoing Deed from John A. Beatty Mary Jane Beatty his  
wife of Collin County State of Texas of the one part, to S. B. Hearley  
& Mary J. Hearley his wife of Lee County Virginia of the other  
part, was this day filed in this office and is admitted to record  
upon the certificate of A. T. Robertson a Notary Public in and  
for the said County of Collin State of Texas.

Teste - James W. Orr, Clerk.



Sept 4th 1874

6 125  
2 100  
2 25

Harvey Hall  
Frederick Seals  
Wm H. Speake  
A. L. McNeil  
D. C. Campbell  
Wm Kinnier Sen.  
John Speake  
Elias Van Buren  
Palmer Dobusk Sen.  
Captain & Matie  
to White Oak Spring  
by next mail

M. V. Duff

Wm O. Sims

\$300. purchase

Manson old Indian  
Fam. buy sent or  
lost note

Recorded in Deeds  
Book No 17 Page 153  
John A. Gibson Jr.

John B. Booby & wife

Thos Deed

N. B. Mandy & wife

Debt due May 5<sup>th</sup> 1861

\$53.

Interest on same to Oct. 18<sup>th</sup> 1875: <sup>4 mo 2</sup> 14.5.18

46

Int due " " "

\$ 99

Commission on this sum 5 per cent.

57.45-

Attys fee due ~~H. & P.~~

15.00

Certain Costs.

27.99

Int to me

15.00

12.99

add for coms . . . . .

5.49

\$18.48



ly et al,

\$ 99.00

James, Cour.

Received of C. B. Harsely the amount in  
full of a note due from him  
as purchaser of John A. Beatz's land  
and also the costs of the suit including  
an atty fee paid to Hagan & Priemore  
March, 3<sup>d</sup>. 1882. C. S. Hamblen

Adm of E. B. Hamblen

me



Charles L. Hamblin <sup>Administrator</sup>  
~~with the will annexed~~  
 of the Estate of Robert O. Hamblin dead } on foreign  
 vs } statement  
 John A. Beaty } by bill in chancery

The object of this <sup>new findings in the circuit court of Lee Co. Va</sup> suit is to recover from John A. Beaty, the sum of \$53. and interest thereon from 30<sup>th</sup> day of April 1861. and the sum of \$12.33 with interest thereon from the first day of November 1858. and the sum of \$13.33, due first day of November 1857. The ~~lands~~ <sup>and one is interest in the land</sup> of John A. Beaty attached on in this suit, ~~are those~~ which descended to him, from his sister Sarah Beaty deceased and which are the lands descended to the said Sarah from her father Robert Beaty. Situated near the natural Bridge over Helling Creek some 5 miles south west of Jemsville on the River Road, and which is the lot assigned to said Sarah Beaty in her lifetime in the said Robert Beaty's Home farm, and which is properly described in the plat and report of said partition now on file in the Clerk's office of the County Court of Lee County Va. June 21<sup>st</sup> 1874.

Lee County Court Clerk's office the 22<sup>nd</sup> day of June 1874.  
 The foregoing Memorandum in the suit of Charles L. Hamblin Administrator plaintiff against John A. Beaty defendant was this day filed in this office and admitted to record.  
 Lesto James W. Orr, Clerk.



C. L. Hamblin acknowledges

or I Memo. of Property  
attached; to be filed  
with clerk.

John A. Beatty.

Recorded in Deed No 17.

Page 126

John R. Gibbons



Virginia

In the Clerk's office of the Circuit Court of Lee County, the 22nd  
day of June 1874.

C. L. Hamblen Sheriff. Adm<sup>r</sup> with the will annexed  
of the estate of Robert P. Hamblen deceased

against

John A. Beaty

Plff

Defd

In Chancery.

The object of this suit is to obtain a decree in favor of the plaintiff  
against the defendant for \$78.66 the amount of his claims against  
the defendant, in the bill mentioned and interest thereon, and to  
~~subject~~ to subject to sale for the payment thereof, the defendants un-  
divided interest in the land lately belonging to Sarah Beaty decea-  
sed, which has been attached for the purpose. And it appearing  
from an affidavit filed in the cause, that the defendant is not a  
resident of this Commonwealth, he is therefore ordered to appear  
here within one month after due publication of this order, and  
do what is necessary to protect his interest in this suit.

A copy

Teste James W. Orr, Clerk.

I James W. Orr Clerk of the <sup>Circuit</sup> ~~County~~ Court of Lee County do certify  
that on Monday the first day of the July term 1874 of said  
Court I pasted at the front door of the Court house of said  
County, a copy of the above order. this July 1874.

James W. Orr, clerk.



Co. L. Hamilton Adams & Co.

vs } Order Publication

John A. Beaty

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Copy to Lee County Sentinel  
June 22nd 1874.



# THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF LEE COUNTY--GREETING:

WE COMMAND YOU TO SUMMON *John A. Beatty*

To appear before the Judge of our <sup>Circuit</sup>~~County~~ Court of Lee County, at the Court House, in the Clerk's Office, at Rules to be holden for said Court, on the first Monday in *July* next, to answer a bill in Chancery, exhibited in our said Court against *him* by *Charles L. Hamblen Sheriff, Administrator with the will annexed of Robert P. Hamblen deceased*

And have then there this writ. Witness, **JAMES W. ORR**, Clerk of our said Court, at the Court House, this *22<sup>nd</sup>* day of *June* 1874 in the *98<sup>th</sup>* year of the Commonwealth.

*James W. Orr,* Clerk.



.50  
 .25-  
 .18  
 .50 affidavits  
 .30 filing same.  
 .36 O. p.  
 .60 copies  
 .06 Post.  
 .30 Lis pend.  
 .15 Filing same.  
 1.00 Rules.  
 .36 Decree.  
 .36 nov.  
 .36 nov 1875.  
 .36 Aug. ~~over~~  
 .15 Court report.  
 .36 Nov.  
 .40 Filing Costs &c

\$ 6.47  
 1.00 Tax  
 \$ 7.47

Charles L. Hamblen  
 Admr &c

vs } Spa in Chancery.

John A. Beaty.

July Rules 1874.

Not executed the defendant  
 being a nonresident of this  
 Commonwealth. But I  
 have executed the attach-  
 ment herein endorsed by lev-  
 ying the same on the defend-  
 ant's undivided interest in the  
 land that belonged to Sarah  
 Beaty decd lying in Lee County  
 Virginia near the Natural  
 Bridge, being a part of the  
 lands that belonged to Robert  
 Beaty decd and that was par-  
 titioned by decree of Court among  
 his heirs, the said Sarah being  
 one of those heirs.

In C. Miles, D.C.  
 for C. L. Hamblen, S.L.C.

Wm. C. Miles  
 Clerk

The proper affidavit having been made, the officer serving this  
 process, is ordered to attach the undivided interest of the defendant  
 in the land that belonged to Sarah Beaty deceased, lying in  
 Lee County Virginia, and is a part of the lands that belonged  
 to Robert Beaty deceased, and that was partitioned by decree  
 of Court among his heirs, the said Sarah being one of said heirs.



THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF LEE COUNTY.—GREETING:

WE COMMAND YOU TO SUMMON *John A. Beatty*

To appear before the Judge of our <sup>Circuit</sup> ~~County~~ Court of Lee County, at the Court House, in the Clerk's Office, at Rules to be holden for said Court, on the first Moday in *July* next, to answer a bill in Chancery, exhibited in our said Court against *him* by *Charles L. Hamblen Sheriff, Administrator with the will annexed of Robert P. Hamblen deceased.*

And have then there this writ. Witness, JAMES W. ORR, Clerk of our said Court, at the Court House, this *22nd* day of *June* 1874 in the *98th* year of the Commonwealth.

*James W Orr.* Clerk.

*A Copy*  
*Teste - James W Orr. Clerk.*



The proper affidavit having been made, the officer serving this process, is ordered to attach the undivided interest of the defendant in the land that belonged to Sarah Beatty deceased, lying in Lee County Virginia near the Natural Bridge and is a part of the lands that belonged to Robert Beatty deceased, and that was partitioned by decree of Court among his heirs, the said Sarah being one of said heirs.

Teste James W Orr Clerk.

A Copy  
Teste James W Orr Clerk.

THE COMMONWEALTH OF VIRGINIA

TO THE SHERIFF OF LEE COUNTY GREETING:

Whereas the Judge of our County Court of Lee County, at the Court House, in the

Witness JAMES W ORR, Clerk of our said Court,

Clerk

OFFICE OF

# Lee County Sentinel,

~~WEST & PAYNE, Publishers.~~

JOHN B. WEST, Editor and Proprietor.

*Gonesville, Va., July 24<sup>th</sup> 1874.*

*I hereby certify that the annexed Chancery order has been published in Lee County Sentinel four weeks successively ending with issue of this date.*

*John B. West*

*Ed' Lee Co' Sentinel*

*Publisher's Fee: \$6.25*  
*J.B.W.*

## VIRGINIA—

In the Clerk's office of the Circuit Court of Lee county, the 22d day of June, 1874.

|                                                                                                          |           |                |
|----------------------------------------------------------------------------------------------------------|-----------|----------------|
| C. L. Hamblin, Sheriff, adm'r<br>with the will annexed of the<br>estate of Robert Hamblin de-<br>ceased, | Plaintiff | } In Chancery. |
| against<br>John A. Beaty.                                                                                | Def't     |                |

The object of this suit is to obtain a decree in favor of the plaintiff against the defendant for \$78.66, the amount of his claims against the defendant, in the bill mentioned and interest thereon, and to subject to sale for the payment thereof, the defendants undivided interest in the land lately belonging to Sarah Beaty, deceased, which has been attached for the purpose. And it appearing from an affidavit filed in the cause that the def't is not a resident of this Commonwealth, he is therefore ordered to appear here within one month after due publication of this order, and do what is necessary to protect his interest in this suit.

A copy

Teste—JAMES W. ORR, Clerk.



C. L. Hamblin, Sheriff,  
+ Admr &c.

vs. } Publishers' Certificate

John A. Beatty